IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12909 of 2005

Between:

Gadiraju Latchi Raju S/o Late Ramaraju
R/o Flat No. 103, Harish Mansion Apartments, Venkataramana Colony,
Khairatabad, Hyderabad

..... PETITIONER

AND

1 The Collector Ranga Reddy district, Lakdikapool, Hyderabad
2 The Land Protection Cell rep by Deputy Collector Ranga Reddy District
3 The Mandal Revenue Officer/Dy. Collector Qutbullahpur Mandal Ranga

Reddy District
4 The Revenue Divisional Officer (East) Ranga Reddy District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or Direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in interfering with the development activities and attempting to dispossess the petitioner and trying to demolish the compound wall constructed by the petitioner land of an extent of Ac. 1.10 guntas situated at Sy. No. 233/3 of Nizampet Village, Qutubullapur Mandal Ranga Reddy District as being illegal, arbitrary and unconstitutional and direct the respondents not to interfere with possession and enjoyment of the petitioner of the said property, and pass such other order orders are deemed fit and proper int he circumstances of the case.

Counsel for the Petitioner: MR.P.SRI RAGHU RAM

Counsel for the Respondent Nos. 1 to 4: GP FOR REVENUE

The Court, at the stage of admission, made the following:

Oral order:-

Head the learned counsel for the petitioner and the learned Government Pleader.

This writ petition is filed to direct the respondents not to interfere with the developmental activities over the land, attempt to dispossess the petitioner from the land and trying to demolish the compound wall constructed over the land in an extent of Ac. 1-10 gts., situated in survey No. 233/3 of Nizampet village, Qutubullapur Mandal, Ranga Reddy district.

Learned Government Pleader for Revenue submits, on instructions from the 3rd respondent, that the subject matter of the land is assigned land and the petitioner has purchased in an extent of Ac. 1-10 Gts. Situated in survey No. 233/3 of Nizampet village, violating the conditions and rules of A.P. Assigned Lands (POT) Act, 1977 (for short 'the Act'), and that the authorities are contemplating action under the provisions of the said Act for resumption of assigned land. It is further stated that the land in question is classified as 'Poramboke Sarkari' as per pahani for the year 1964-65, that the land in an extent of Ac. 2-20 Gts., was assigned in favour of Kummari Ramaiah and the same has been implemented as 'Laoni Izafa' in the Faisal Patti for the year 1962-63. As per the pahani for the year 1965-66 of Nizampet village, the land in an extent of Ac. 2-20 situated in survey No.233/8 stand as Laoni Patta in the name of Kummari Ramaiah. As per pahani for the year 1999-2000 Kummari Ramaiah is the Laoni pattedar for the land bearing survey No. 233/5 measuring Ac. 2-09 gts., and the names of K. Rama Krishna Raju and N. Padma Rao are recorded as possessors as purchasers. Kummari Bixapathi, assignee, has sold an extent of Ac. 1-10 Gts. to the petitioner through registered document dated 20-12-2004 violating the provisions and rules of the Act. Therefore, the petitioner has purchased the land in utter violation of the provisions of the Act. Hence, he is not entitled to any relief. As the respondents are resorting to dispossess the petitioner and trying to demolish the compound wall constructed over the disputed land, the writ petition is filed.

In the facts and circumstances of the case, I deem it appropriate that *prima facie*, it is satisfied that the petitioner has purchased the assigned land from the successors of the original assignee, contrary to the terms and conditions of the assigned land. Further, the respondents-officials are contemplating to take action under the provisions of the Act to resume the land from the petitioner. Therefore, I deem it appropriate to dispose of the writ petition with a direction that the status-quo obtaining as on today shall be maintained over the land in question till the finalisation of the proceedings being initiated by the respondents under the provisions of the Act.

The writ petition is disposed of accordingly. No costs.

ELIPE DHARMA RAO, J

Dt. 20-06-2005

Pvks/*

To

1 The Collector Ranga Reddy district, Lakdikapool, Hyderabad
2 The Land Protection Cell rep by Deputy Collector Ranga Reddy District
3 The Mandal Revenue Officer/Dy. Collector Qutbullahpur Mandal Ranga

Reddy District
4 The Revenue Divisional Officer (East) Ranga Reddy District

5. 2 CCs., to the Government Pleader for Revenue, A.P. High Court Buildings,

Hyderabad (OUT)

6. 2 CD copies

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